

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-CR-6044-EAW

RYAN GRANTHAM,

Defendant.

**DEFENDANT'S STATEMENT WITH RESPECT
TO SENTENCING FACTORS**

IN ACCORDANCE WITH LOCAL PROCEDURAL GUIDELINES TO GOVERN SENTENCING PROCEDURES UNDER THE SENTENCING PROCEDURE ACT OF 1984 IN THE WESTERN DISTRICT OF NEW YORK; RULE 12 OF THE FEDERAL RULES OF CRIMINAL PROCEDURES; 18 U.S.C. 3553; §681.2 OF THE UNITED STATES SENTENCING GUIDELINES ("USSG") AND *U.S. V. BOOKER*, 125 S. CT. 738 (2005); *U.S. V. CROSBY*, 2005 WL 240917 (2D CIR. N.Y.).

The Defendant, Ryan Grantham, by and through his attorney, Joseph S. Damelio, Esq., has thoroughly reviewed the Pre-Sentence Investigation Report (PSR) dated January 28, 2021, as prepared by Erin N. Wong, U.S. Probation Officer, and adopts the findings with regard to the aggregate guideline imprisonment range and Defendant's Criminal History Category.

PLEA OF GUILTY

On June 5, 2020, the Defendant, Ryan Grantham, waived Indictment and pled guilty to a 2-count Information in which Count 1 charged Possession of 500 grams or more of Cocaine with Intent to Distribute (21 USC 841.a.1, 21

USC(b)(1)(B) and 18 USC 2) and Count 2 charged Felon in Possession of a Firearms in Furtherance of a Drug Trafficking Crime (18 USC 924c1Ai). The Rule 11(c)(1)(B) Plea Agreement calls for an advisory guideline range of 157-180 months imprisonment (60 months on Count 2 run consecutive to 97-121 months on Count 1).

18 U.S.C. 3553 (a) FACTORS

18 U.S.C. 3553(a) states that the court "shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2)" of subsection (a) which are stated as follows:

- To reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
- To afford adequate deterrence to criminal conduct;
- To protect the public from further crimes of the defendant; and
- To provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

A. Defendant's Role

These charges did not involve conspiracies, so Defendant's roles in these crimes are exactly what he pled guilty to.

B. Criminal Record

Mr. Grantham is a Criminal History Category II, with a criminal record which includes a conviction for Petit Larceny in 2012 in New York State, Macedon Town Court.

C. Defendant's History

Mr. Grantham is 33 years old and was raised by his mother, Ivena Grantham, a teacher, and father, John Grantham, a school Principal.

Ryan has one child, MarQuita Grantham, age 11. His son, Ryan Grantham, Jr. was killed at the age of six in an automobile/pedestrian accident just one month ago.

Ryan has been in a relationship with Farasa Brown for approximately 8 years. Farasa was the mother of Ryan Grantham, Jr.

Ryan has always worked at different jobs. He recently worked for Our Family Janitorial, maintained Independence Auto Sales, and before that he worked for Rhino Construction, Arnold Magnetics, and was a paraprofessional for the Rochester School District.

D. Acceptance of Responsibility

Ryan accepts full responsibility for his actions and the crimes he committed, and blames no one but himself. In his letter to the Court of March 21, 2023 he stated, "the choices we make determine not only our future but the future of everyone around us." He also said that he apologizes, "for the decisions I made to break the law and participate in actions that destroy the same community kids have to grow up in."

Clearly Ryan gets it; that is, he understands what he has done and the impact of his actions on the community.

DATED: August 10, 2023
Rochester, New York

BY: s/JOSEPH S. DAMELIO, ESQ.
Attorney for Defendant
28 E. Main Street, Suite 1200
Rochester, New York 14614
(585) 442-7360

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 10, 2023, I electronically filed the foregoing with the Clerk of the Court using the ECF system and a true copy of the foregoing Defendant's Statement with Respect to Sentencing Factors regarding the above captioned case and it was served either electronically or by U.S. First Class Mail upon the following:

Robert A. Marangola, Esq.
Assistant United States Attorney
Western District of New York
100 State Street
Room 500
Rochester, New York 14614

Erin N. Wong
U.S. Probation Officer
Federal Building
Room 111
Rochester, New York 14614

BY: s/JOSEPH S. DAMELIO, ESQ.
Attorney for Defendant,
Ryan Grantham